



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.4989 OF 2024

Vinod K. Pande and ors. ..Petitioners
vs.
The Recovery And Sales Officer
Mumbai District Central Co-Op. Bank Ltd.
and ors. ..Respondents

**WITH
INTERIM APPLICATION (L) NO.16813 OF 2025
IN
WRIT PETITION NO.4989 OF 2024**

Vinod K. Pande ..Applicant

In the matter of :

Vinod K. Pande and Ors. ..Petitioners
vs.
The Recovery And Sales Officer and Ors. ..Respondents

Adv. Nilesh Pandey a/w Adv. Rohan Kharat, Adv. Ajaydhar
Dwivedi i/b. Adv. A. K. Upadhyay, for the Petitioners.
Adv. Prafull Chipte a/w Adv. Tejaswi Nanche i/b. Adv. Medha
Rane, for Respondent Nos.1 and 2.

**CORAM : M. S. KARNIK &
N. R. BORKAR, JJ.**

DATE : 13th JUNE, 2025

P.C. :

1. We find substance in the submission of learned
counsel for Respondent Nos.1 and 2 that against the order
of recovery the Petitioners have a remedy under the
provisions of sub-Rule 19(a) of Rule 107 of the Maharashtra

Co-operative Societies Rules, 1961 or for taking out appropriate proceedings under Section 154 of the Maharashtra Co-operative Societies Act, 1960. Only in the interest of justice to enable the Petitioners to resort to the statutory remedies, the possession which is sought to be taken by Respondent Nos.1 and 2 on 20th June 2025 is deferred by a further period of two weeks from 20th June 2025. It is the contention of learned counsel for the Petitioners that they are neither a borrower nor a guarantor.

2. All contentions of the Petitioners are kept open to be adjudicated before the competent forum. We have not made any observations on the merits of the matter.

3. It is needless to mention that if in these proceedings and if an application for appropriate interim reliefs is made, the competent forum shall obviously consider the application for interim reliefs on its own merits.

4. The Writ Petition is disposed of. Interim Application (L) No.16813 of 2025 is disposed of.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)